

# Exhibit 374

## PART 10

*United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.*  
*v. Dey, Inc., et al.*, Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support  
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

2. THAT, the American National is a Citizen of the Republic state of Virginia as well as Indigenous to the soil; and therefore, a dual national under the de jure U.S. Constitution, International Treaties, and U.S. land grant no. 923 of 1802. Affiant declares that he is an Indigenous American of Dual Nationality, domiciled on the soil of Washitaw and residing temporarily in the **Colorado Republic**, and will be faithful and bear true Allegiance to the United States of America on behalf of the Washitaw Nation of Muurs. Therefore, Affiant Affirm his dual Allegiance pursuant to: 53 Stat. 1137 Sec. 101(a); 8 U.S.C. Sec. 1101(21).

3. THAT, the Affiant is a flesh-and-blood sentient man, and is sovereign entity of The united states of America by right of birth upon the land (not in The United States) in a collective capacity with other sovereigns and is an "American National" who has reserved all his birth rights in accordance with the U.S. government printing office styles (GPO) section 5.22, 5.23 Title 8, Chapter;

4. THAT, Affiant is an [Indigenous] Moorish American National and Land Assignee of the Washitaw nation of Muurs, via The Republic of Commonwealth Virginia. His Property is **NOT** a commercial piece of Property and must **NOT** be classified as such

5. THAT, there are no constitutional protections to be claimed by the Affiant as Affiant is not a party to it;

6. THAT, everything done for Affiant, or to Affiant, by government is done **by contract**, actual or presumed;

7. THAT, citizens of the United States are ARTIFICIAL CREATIONS and only ARTIFICIAL CREATIONS, are citizens of the UNITED STATES;

8. THAT, Affiant, the flesh-and-blood sentient man did not knowingly, willingly and with full understanding, enter into any contractual relationship with the corporate United States, State of **Colorado**, or any other political subdivision of the corporate United States;

9. THAT, the Affiant's rights "...exist by the law of the land long antecedent to the organization of the State." (Hale v. Henkel, 201 U.S. 43);

10. THAT, the Affiant's rights even in light of the U.S. Bankruptcy a.k.a. The National Emergency and that includes the right of redemption;

11. THAT, under Article II, Section I of the **Colorado** Constitution, "All political power is vested in and derived from the people; all government, of right, originates from the people, is founded upon their will only, and is instituted solely for the good of the whole;

12. THAT, Affiant is 'of the people' and is above the corporate government called '**State of Colorado**' /**STATE OF COLORADO**, operating in a de-facto bankrupt capacity/status;

13. THAT, Affiant filed a UCC Financing Statement (UCC-1) in **Washington State**, UCC Filing Number 2007-014-1237-3 on **January 14, 2007**, and the **State of Colorado**, file # 20082094530 on **September 22, 2008**, and 20082094532 on **September 22, 2008** to perfect a security interest to initiate redemption as a matter of right;

14. THAT, the Affiant is the Secured Party creditor and authorized representative of the corporate fiction-  
entity/Debtor (Ens Legis) identified as **MICHAEL TODD RICKS** under necessity;

15. THAT, Affiant caused to be filed, a Superior Security Interest and Lien upon the property of the Debtor  
and in the Debtor's name filed first in line and first in time, over the above the State of Colorado and that all  
property is exempt from levy;

16. THAT, the **State of Colorado** cannot show nor provide a superior interest in the said property as  
identified upon the Security Agreement held by the Affiant. (See for reference; Wynhammer v. People, NY  
378);

17. THAT, the Affiant/Secured Party is a flesh and blood and the corporate fiction/Debtor/Ens Legis as  
appearing upon any UCC filing is 'artificial' and was created in the contemplation of law (commerce) AND  
THE TWO ARE NOT THE SAME, FOR ONE IS REAL, and THE OTHER IS FICTION;

18. THAT, any discrimination or injury caused by the **State of Colorado** to recognize the two distinct  
entities, the one real and the other artificial agrees to such injuries and the associated damages as established by  
the Affiant and the State, by and through it's agents by said agreement, is estopped from defense or rebuttal in  
the matter and agrees that the Affiant may proceed by tort for damages;

19. THAT, this Affidavit if not rebutted point for point by any man or woman, representing the **State of  
Colorado** and/or any "STATE OF" at any level, in any matter, at any time within seven (7) days upon receipt,  
these facts stand as true in the both the private and public record... as true. NOTE: Maxim of Law; 1. In  
Commerce—Truth is sovereign. 2. For a matter to be resolved, it must be expressed. Point of Law—Silence  
equates to agreement.

#### **EXPRESS NOTICE OF WAIVER OF TORT TO ALL WHO TRESPASS**

Trespass upon either the **Issuer** of this binding Private Bond Instrument by any actor, agent or representative of a  
government entity or its subdivision, acting under color of law outside the accepted forum, shall constitute an  
agreement of \$2,000,000.00 compensation for each injury, occurrence of breach, or trespass on rights or property.  
Additionally, all Trespassers shall agree to pay \$65,217 per hour of involuntary servitude, coerced incarceration,  
coerced detention, or coerced booking. Performance by conduct is acceptance. This is an implied contract and  
attaches only upon the actors, agent, or representative, who by their conduct elect to enjoin this contract. If by  
your conduct you elect to contract, Michael-Todd: Ricks-Bey, shall be appointed Third Party Intervener, with  
limited power of attorney to execute the remedy within this instrument. This power of attorney is a right coupled  
with an interest and is irrevocable as granted without course to all who trespass.

ALL PERSONS, EMPLOYEE, AGENTS, AND OFFICERS OPERATING UNDER ORDERS OF THE PRESIDENT  
OF THE UNITED STATES, UNITED STATES SECRET SERVICE, UNITED STATES DEPARTMENT OF THE  
JUSTICE, INTERNAL REVENUE SERVICE, DEPARTMENT OF JUSTICE, STATE OF COLORADO  
DEPARTMENT OF REVENUE, ALL MUNICIPAL COURTS, DOUGLAS COUNTY DISTRICT ATTORNEY, 18<sup>TH</sup>  
JUDICIAL DISTRICT COURT DOUGLAS, COLORADO, COLORADO STATE PATROL, DOUGLAS COUNTY  
SHERIFF DEPARTMENT, DOUGLAS COUNTY POLICE DEPARTMENT AND DOUGLAS COUNTY COURT,  
who commit injury by trespass upon the living man, Michael-Todd: Ricks-Bey under color of law without evidence of a  
signed contract or damaged party, or lawful order and verified assessment will cause attachment of this **EXPRESS  
NOTICE OF WAIVER OF TORT**. Continued proceeding in trespass shows acceptance of this Contract and provides  
evidence of your intent to implement the terms of the **EXPRESS NOTICE OF WAIVER OF TORT** and affix said  
lien(s)

Executed this 28<sup>th</sup> day of August, 2008 A.D.

Respectfully Submitted

Without Prejudice UCC 1-308, UCC 1-103.6,  
Authorized Representative, Attorney-In-Fact  
Without Recourse-all Rights Reserved



*Michael Todd Ricks-Bey*  
Michael Todd Ricks-Bey©, Secured Party Creditor  
Authorized Representative, Attorney-In-Fact in  
Behalf of the Debtor MICHAEL TODD RICKS,  
ENS LEGIS

**INDIGENOUS WASHITAW MOORISH AMERICAN: U.S. 923/1802 & U.N. IPO 215/93**

**U.S. NON-CITIZEN AMERICAN NATIONAL AND NON-RESIDENT ALIEN  
UNITED STATES LAWS AFFIRMING RIGHT TO CITIZENSHIP AND NATIONALITY**

15 Stat. 223-224 (1868); R.S. §1999, 8 U.S.C. §800 (1940); United States v. Cruikshank, 92 U.S. 542 (1875.) American/ U.S.A. National 54 Stat. 1137, Section 101(a)(3)&(38), Section (a)(21)-(22). [PL 94-241; 90 Stat. 623, at Section 3; 100 Stat. 843, August 27, 1986]. The Nationality Act of 1940, 8 U.S.C. Section 1101(21): [U.S. Non-Citizen] 8 U.S.C. 1452(b)(1)(2) & 8 U.S.C. 1502(a), Section 1452(a)(b) &(c); PL 99-396, 16(c). 26 C.F.R. §7701(11), 39 F.R.52 (March 14, 1974); 26 C.F.R. § 301.6109(a); 26 U.S.C. § 3402(n)-1, 26 C.F.R. §31.3402(n)-1, 26 C.F.R. § 3402(f)(2)-1, 26 C.F.R. §1.1441-3. [Non-Resident Alien] [8 Stat. 200, Article III & VI (1803)] Washitaw de Dugdyahmoundyah

Illinois Tax Exemption E 9939-0647-01  
IRS: Exception 17053-290-74400-4  
Moorish Science Temple EIN 56-2473981

[Non-Resident Alien] [8 Stat. 200, Article III & VI (1803)]  
Louisiana Treaty of 1803 [8 Stat. 200, Article III & VI]  
In-Care-Of: Washitaw Nation of Muurs, Illinois

**TO ENSURE THAT THE RIGHTS OF SOVEREIGN TRIBAL GOVERNMENTS ARE FULLY RESPECTED**

The United States Government has a unique legal relationship with the Native American tribal governments as set forth in the Constriction of the United States, treaties, statutes, and court decisions [U.S. Land Grant No. 923 in the name of "the Washitaw," Spanish Certificate of June 20, 1779; Plan. 1518; Register No. 3, April 12, 1802]

RE: U.S. Government to Indigenous Government Relations  
A Directive Superceding Previous Treaty Authority  
Executive Memorandum of April 29, 1994  
Signed by President Bill Clinton

- Purpose: To clarify our responsibility to ensure that the Federal Government operates within a government-to-government relationship with federally recognized Native American tribes . . . working relationship reflecting respect for the rights of self-government due the sovereign tribal governments.
- Principles:
- (a) The head of each executive department and agency shall be responsible for ensuring that the department or agency operates within a government-to-government relationship with federally recognized tribal governments.
  - (b) Each executive department and agency shall consult, to the greatest extent practicable and to the extent permitted by law, with tribal government prior to taking actions that affect federally recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals.
  - (d) Each executive department and agency shall take appropriate steps to remove any procedural impediments to working directly and effectively with tribal governments on activities that affect the trust property and/or government rights of the tribes.
  - (f) Each executive department and agency shall apply the requirements of Executive Orders Nos. 12875 ("Enhancing the Intergovernmental Partnership") and 12866 ("Regulatory Planning and Review") to design solutions and tailor Federal programs, in appropriate circumstances, to address specific or unique needs of tribal communities.

**MICHAEL TODD RICKS-BEY**

Print Name: U.S.A. American and Washitaw National  
Indigenous Washitaw-Nationals, U.N. #215

*Michael Todd Ricks-Bey*  
Sovereign Washitaw, Without Recourse: 8 USC 1408; 15 Stat 223  
UCC 1-308 and UCC 1-103.6; 28 CFR 16.4(d); 28 USC 1746(1)

**A CESTUI QUE TRUST-INDENTURE AGREEMENT BETWEEN SOVEREIGN PRIVATE PARTIES**  
U.S. Land Grant No.: 923 [Certificate: June 20, 1797; Plan No. 1518; Register No. 3, April 12, 1802]

Louisiana Treaty of 1803 [8 Stat. 200, Article III & VI]

Moorish Science Temple EIN: 56-2473981

Congressional Act Bill No.:	252	April	10,	1816.	14 <sup>th</sup> Congress
Congressional Act Bill No.:	253	February	10,	1817.	14 <sup>th</sup> Congress
Congressional Act Bill No.:	325	December	12,	1820.	16 <sup>th</sup> Congress
Congressional Act Bill No.:	329	January	22,	1821.	16 <sup>th</sup> Congress

**LEGAL NOTICE: FEDERALLY PROTECTIVE RIGHTS**  
**DENIAL OF CONSTITUTIONAL RIGHTS UNDER COLOR OF LAW**  
[PL 93-579 SECTION 7, 5 U.S.C.A. §552(a); 18 U.S.C. §241 & §242; 42 U.S.C. §1983 & §406.8]

VERIFICATION

Washitaw Nation of Muurs )  
 united States of America )  
 Republic of Colorado ) SS VERIFIED DECLARATION  
 County of Kit Carson )

I, Michael Todd Ricks-Bey©, Declaration herein, one of the Private People in the Washitaw Nations of Muurs, De Dugdh Mound Ya and Commonwealth of Virginia Republic, one of The United States, of America, a union of republic states under penalties of perjury under The Laws of The United States of America and of the Colorado Republic, that Declarant is competent to be a witness and that the facts contained herein are true, correct, complete, and not misleading, to the best of Declarant's personal knowledge and belief, made voluntarily and intentionally for the purpose stated.

As a Notary Public for said County and State, I do hereby certify that on this 28<sup>th</sup> day of August, 2008, that A Natural Person whose Indigenous name is Michael Todd Ricks-Bey©, the above mentioned, appeared before me and executed the foregoing. Witness my hand and seal:

Without Prejudice UCC 1-308, UCC 1-103.6  
 Authorized Representative, Attorney-In-Fact  
 Without Recourse-all Rights Reserved

*Michael Todd Ricks-Bey*  
 Authorized Representative, UCC 3-402 (b)(4)



*Gloria Lamle* Seal  
 Notary Public

My Commission Expires: 12/04/2010

My Commission Expires 12/04/2010

**NOTE:** Using a Notary on this document or any other document does not constitute any adhesion contract, nor does it alter my status in any manner. The purpose for Notary is verification and identification only and not for entrance into any foreign jurisdiction, a benefit for the Pagans and Heathens so they whom I pray may become knowledgeable in the truth for the Law by our Holy Father and repent, so they will no longer be alienated from their true God-Allah.



## AFFIDAVIT OF FACT

*Indeed, no more than (affidavits) is necessary to make the prima facie case. United States v. Kis, 658 F.2d 526, 536 (7<sup>th</sup> Cir. 1981); Cert. Denied, 50 U.S. LW. 2169; S. Ct. March 22, 1982.*

Washtaw Nation of Muurs )  
 united States of America )  
 Republic of Colorado ) ss.  
 County of Kit Carson )

### ACKNOWLEDGMENT

*Pursuant to title 28, U.S.C. §1746(1) and 28 U.S.C. §1641(d), executed "without the United States," I, Michael-Todd: of the Ricks-Bey© Tribe/Family, being first duly sworn accordingly in law, being of age to contract. Declarant herein, one of the Private People in the State of Colorado, one of The United States, of America, a Union of republic States under the penalties of perjury pursuant to The Laws of The united States of America and of the state of Colorado Republic and/or any "STATE OF", that Declarant is competent to be a witness and I affirm under penalty of perjury under the United Nations International Laws that the foregoing is true and correct, to the best of my belief and informed knowledge. I now affix my signature and official seal to all of the ongoing affirmations with EXPLICIT RESERVATION OF ALL MY INALIENABLE RIGHTS WITHOUT PREJUDICE to any of those rights pursuant to U.C.C. 1-308 and U.C.C. 1-103.6.*

I, Michael Todd Ricks-Bey©, hereinafter "Affiant," a living, breathing, flesh-and-blood, sentient Moorish American National "real" man, being first duly bound in conscience by deeply held spiritual convictions to perform faithfully and truthfully; corpore et animo, sealed by and under authority of Affiant's own hand and Prerogative Instance In law, having first hand knowledge of the facts contained herein, do DECLARE and ATTEST the following facts are true, correct, complete, and not meant to mislead to the best of Affiant's knowledge and conviction.

In Commerce, everything must be stated in Truth. I, Michael Todd Ricks-Bey, a sovereign, a Private Person, a Living Soul, a Creditor, Claimant, and Secured Party and NOT a STATUTORY PERSON upon the land Colorado, a Republic in the county called Burlington, do hereby solemnly declare, say, and date. 1) Secured Party is competent for stating the matters set forth herewith; 2) Secured Party has personal knowledge about the facts stated herein; 3) Everything stated in this TRUTH AFFIDAVIT is the Truth, the Whole Truth, and nothing but the Truth and all stated is true, correct, complete, and not misleading. NO THIRD PARTIES ALLOWED

PLAIN STATEMENT ABOUT THE FACTS: a) For Resolving a Matter it must be expressed b) In Commerce Truth is Sovereign; c) Truth is expressed in the Affidavit Form; d) An Unrebutted Affidavit stands as Truth in Commerce; e) An Unrebutted Affidavit becomes the judgment in Commerce; f) A Truth Affidavit, under Commercial Law, can only be satisfied by a Rebuttal about the Truth Affidavit, by payment, by agreement, by resolution by a jury according by the rules for Common Law.

A LAWFUL CONTRACT has: 1) Offer; 2) Consideration; 3) Acceptance by all Parties for the Contract and; 4) The Signatures by all Parties involved with the Contract. Only the Parties signing the Contract can participate in the discussion of the Contract. Full disclosure about the CONTRACT is imperative.

- I. I am NOT a legal "person" born or naturalized in the federal "United States," NOT subject to the jurisdiction of the legislative democracy of the federal "United States" (e.g. District of Columbia, Puerto Rico, U.S. Virgin Island, Guam, American Samoa) or any other territory, area or enclave "within the United States." The terms "United States" and "U.S." area NOT to be construed or assumed under any circumstances to imply or include the sovereign "50 states" or the "united states of America." Furthermore, any reference to the 14<sup>th</sup> Amendment of the Constitution maintaining privileges over right is invalid. [See *A Historic Overview of the Unlawful Enactment of the 14<sup>th</sup> Amendment by the Supreme Court of Utah*; *Deyett V. Turner* (1967) 439 P.2d 266; *State v. Phillips*, (1975) 540 P.26.936]